

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P.O. Box 7599
Lakewood, Colorado 80537-0599

PATENT APPLICATION

ATTORNEY DOCKET NO. 10031298-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Jefferson B. Burch, et al.

Serial No.: 10/698,292

Examiner: Not Yet Assigned

Filing Date: 10-31-2003

Group Art Unit: N/A

Title: BANDWIDTH MANAGEMENT USING STATISTICAL MEASUREMENT

COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- () Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
() No additional fee (Address envelope to "Mail stop Non-Fee Amendments")
(X) Other: Preliminary Amendment (fee \$)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		= 0	X \$18	\$ 0
INDEP. CLAIMS		MINUS		= 0	X \$86	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM				+ \$290	\$ 0	
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$420.00	3RD MONTH \$950.00	4TH MONTH \$1480.00		\$ 0
OTHER FEES					\$	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$	0

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

"Express Mail" label no. EV482735863US

Date of Deposit 03-23-2004

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

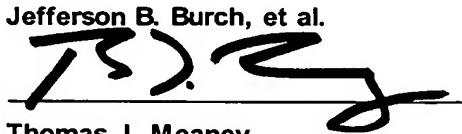
By Carrie Wilson

Typed Name: Carrie Wilson

Respectfully submitted,

Jefferson B. Burch, et al.

By



Thomas J. Meaney

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- Attach as First Page to Transmitted Papers -



AGILENT TECHNOLOGIES, INC.
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Loveland, Colorado 80537-0599

Docket No.: 10031298-1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jefferson B. Burch et al.

Application No.: 10/698,292

Art Unit: N/A

Filed: October 31, 2003

Examiner: Not Yet Assigned

For: **BANDWIDTH MANAGEMENT USING
STATISTICAL MEASUREMENT**

FIRST PRELIMINARY AMENDMENT

MS Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

Prior to examination on the merits, please amend the above-identified U.S. patent application as follows:

Amendments to the Specification begin on page 2 of this paper.

No Amendments to the Claims have been made.

Remarks/Arguments begin on page 4 of this paper.